

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 2052 – SB 2071**

February 19, 2016

**SUMMARY OF ORIGINAL BILL:** Increases the time period that a non-requesting party has to contest a request for transfer in the transferor court in intercounty enforcement and modification of child support and child custody cases, from 15 to 20 days from the date a notice to transfer was mailed by filing a motion.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (011585):** Deletes all language of the original bill. Authorizes a case that includes child support or custody provisions to be transferred between counties in this state without the need for any additional filing by the party seeking transfer by the filing of a request by the requesting party if: (1) the requesting party has served the non-requesting party with the filing seeking the transfer and (2) the non-requesting party has not filed an objection within 15 days from the date the notice of the filing was mailed.

If the non-requesting party files an objection within 15 days from the date the notice of the filing was mailed, the objection shall be in the form of a motion for review of the request in the transferor court. If an objection has been filed, the transferor court shall determine whether there is good cause for transfer. If the court finds good cause, the case will be transferred. Upon receipt of a request, the case must be transferred by the clerk of the issuing court, without order of the court, to a court of competent jurisdiction in the county where the child or children reside if no objection has been filed in the form of a motion for review in the transferor court and all other currently established requirements have been met. Authorizes, rather than requires, the clerk of the issuing court to transfer a case by a requesting party sending the request for the transfer to the clerk of the transferor court.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Based on information provided by the Department of Human Services, the proposed legislation would impact existing Child Support Division operations by requiring revisions to existing policies and procedures and additional staff training relative to

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these changes which can be accommodated within existing resources without an increased appropriation or reduced reversion.

- Based on information provided by the Department of Children's Services, the proposed legislation would not affect current policies and procedures; any fiscal impact would be not significant.
- According to the Administrative Office of the Courts, currently there is no provision established for the non-requesting party to object to the transfer of the case if neither party resides in the issuing county and the child has resided in the county where the case is being transferred for six months. The proposed legislation would provide an objection process. It is assumed the number of objections filed will be minimal; any fiscal impact to the court system would be able to be absorbed within existing judicial resources without an increased appropriation or reduced reversion.

### **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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